



Tyngsborough Board of Health

Town Hall

25 Bryants Lane

Tyngsborough, MA 01879

Office: (978) 649-2300 Ext 118

Fax: (978) 649-2301

Frederick Wendt, Chairman

Bernadette Harper

Christopher Mellen

Sheila Perrault, Vice-Chairman

Patricia Quinn

Board of Health Meeting Minutes

August 9, 2010

Members Present: Frederick Wendt, Sheila Perrault, Christopher Mellen, Patricia Quinn

Meeting Opened

6:00 P.M.

6:11 P.M. Meeting Opened
FW: Motion to open meeting
PQ: 2nd the motion
Voting Yes – 4 Opposed - 0

Minutes presented for the July 12, 2010 meeting
FW: Motion to approve the minutes from June 14, 2010
PQ: 2nd the motion
Voting Yes – 3 Abstain-Sheila Perrault (absent at July 12, 2010 meeting)

Agenda Items

6:15 P.M. **Tyngsborough Housing Authority** – Request for reduction to annual Trash/Recycle fee. There was no representative present for the hearing so this item was tabled until later in the meeting do to an emergency hearing for 22 Mt. Paul Road.

6:15 P.M. **22 Mt. Paul Road** – Friday, July 23rd, the outside oil tank leaked and the heating oil saturated the ground and went into the septic tank. DEP was called and is working on removal of the contaminated Soil. This also required the removal of the outbuilding that housed the pumping system for the well. The homeowner is presently without running water or a septic system. Susan Ray, the homeowner and Todd Ray her son, appeared regarding this issue. The Rays are working with DEP and their insurance company to try and get this matter cleaned up. Kerri Oun, the Health Agent has made several trips to check on the progress. Todd Ray stated that the mound of contaminate dirt needs to be removed before the septic installer can get his equipment in to replace the system. The home currently serviced by a portable toilet and bottled water.

The Board has advised Mrs. Ray that she must contact the DEP contractor to get the dirt removed so that work can begin on replacing the septic system and the pump can be

reconnected to the well. The board would like to see some progress by the following week. The Health Agent will continue to follow-up with the homeowner.

6:30 P.M. 5-7 Westford Road – Hearing regarding code violations to the property that is being rented by Michael Brown, homeowner. Atty. Peter Nicosia appeared as the representative for Christine Leeds, the tenant. Kerri Oun, Health Agent for the BOH has gone to the property and performed a home inspection at the request of the tenant and has sited the landlord for multiple violations.

Mr. Brown stated that Ms. Leeds had signed the lease with the option to purchase the house and set up a beauty salon in the facility. There were repairs that were needed and that the tenant had agreed to make many of those repairs herself. He also stated that the tenant has not paid rent in approximately 4 months which has put a hardship on him to be able to pay for some of the repairs.

Atty. Nicosia stated that he started working with Ms. Leeds to acquire any necessary permits to set up her business. The property has needed work done and she has spent a considerable amount of money on repairs.

Fred Wendt said that the Board has no knowledge of any agreement between the landlord and the tenant and requested a copy be sent to determine who would take responsibility for the items sited by the Health Agent. He also asked the Health Agent to write a letter to all the parties involved and their attorneys requesting this information.

SP: Motion to have the Health Agent write a letter to Mr. Brown, Ms. Leeds and their Attorneys requesting a copy of the lease agreement for 5-7 Westford Road showing which party is responsible for the repairs to the property.

PQ: 2nd the motion

Voting Yes – 4 Opposed - 0

6:45 P.M. Tyngsborough Housing Authority – Request for reduction to annual Trash/Recycle fee of \$10,000. No representatives have appeared for the Housing Authority. In July 2008, the Tyngsborough Housing Authority was notified that as a result of the new town wide trash/recycling contract, their annual fee starting FY2010 would be increased from \$5,000/annually to \$10,000/annually. Mr. Richard DeLeo called the BOH office to question this increase. Fred Wendt requested the Administrative Assistant look into this matter a little further and to see if the Brinley Terrace and Red Pines Terrace are subject to town property taxes. This item will be continued to the September 13th meeting.

SP: Motion to obtain additional information regarding the fees charged to the Tyngsborough Housing Authority units and to continue this item to the September 13th meeting.

PQ: 2nd the motion

Voting Yes – 4 Opposed - 0

7:00 P.M. Covanta Mercury Program – Shed placement and management for mercury collection In order to be compliant with the MassDEP requirements, Covanta Energy would set up shed somewhere in town where items containing Mercury (light bulbs/tubes, thermometers, thermostats, barometers, etc.) could be stored. Packing materials to safely hold all these items would also be provided. This would all be done at no cost to the town. We would then call when we needed these items to be picked up. At the present

time, the fluorescent light bulbs that are used in the town buildings are stored at the town hall and in the school buildings. Thermometers, thermostats, rechargeable batteries and other small items are stored in the BOH office. Fred Wendt requested the Administrative Assistant get additional information on the quantity of fluorescent bulbs used by the school department and the town hall. This item to be continued to the September 13th meeting.

Additional Business

- The Administrative Assistant has requested a change to the hours for Bulky Sticker sales. The board has agreed that Bulky Stickers will be sold Mondays and Wednesdays from 8:30A.M. to 12:30P.M. Stickers will still be available through the mail per the notice on the www.tyngsboroughma.gov website.
- The tonnage report from Allied Waste gave the following breakdown for the total amount of trash picked-up for FY2010:
 - Commingled Recycling 9.62%
 - Paper Recycling 13.99%
 - Trash 74.06%
 - Leaves 2.33%

8:15 P.M. Meeting Adjourned

SP: Motioned to adjourn.

CM: 2nd the motion.

Voting Yes – 4 Opposed - 0

Respectfully for the Board of Health
Karen Steeves
Administrative Assistant